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9 ACE PROPERTY AND CASUALTY
10 INSURANCE COMPANY

11 UNITED STATES DISTRICT COURT
12 SOUTHERN DISTRICT OF CALIFORNIA

13 JACK D. HARRISON and NAOMA
14 HARRISON,

15 Plaintiffs,

16 vs.

17 BANKERS STANDARD INSURANCE
18 COMPANY, ACE PROPERTY AND
19 CASUALTY INSURANCE COMPANY,
20 AMERICAN FAMILY MUTUAL
21 INSURANCE COMPANY and BBVA
22 COMPASS INSURANCE AGENCY,
23 INC.; and DOES 1 through 50,

24 Defendants.

Case No. 13CV1682 DMS JMA

**NOTICE OF MOTION AND
MOTION TO DISMISS OF
DEFENDANT ACE PROPERTY
AND CASUALTY INSURANCE
COMPANY**

**DATE: November 8, 2013
TIME: 1:30 p.m.
COURTROOM: 13A**

Judge Dana M. Sabraw

25 TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

26 NOTICE IS HEREBY GIVEN that Defendant ACE PROPERTY AND
27 CASUALTY INSURANCE COMPANY (hereinafter "AP&C") brings this Motion to
28 Dismiss Plaintiff's Complaint pursuant to FRCP 12(b)(6)¹, for failure to state a claim,
which motion will be heard by this Court on November 8, 2013, at 1:30 p.m., in
Courtroom 13A.

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¹ See also Motion to Dismiss of Bankers Standard Insurance Company filed concurrently herewith.

1 This motion will be based on the papers filed herewith (Notice of Motion,
2 Motion, Memorandum of Points & Authorities, Notice of Lodgment) and the
3 arguments of counsel as may be heard by this court.
4

5 Dated: October 10, 2013

COZEN O'CONNOR

7 By: /S/ Joann Selleck

8 JOANN SELLECK
9 Attorneys for Defendant
ACE CASUALTY AND INSURANCE
COMPANY
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